



Section 3. Reply to the Office Action re Drawing Objections

Applicant respectfully requests the examiner withdraw his objections to the drawings based on the canceling of claim 6.



Section 4. Reply to the Office Action re §112 Objection

Applicant respectfully requests the reconsideration of the §112 objection raised in the Office Action, based on cancelled claim 6 above.



Section 5. Reply to the Office Action re Claim Objection

Applicant respectfully requests examiner to reconsider the objection to claim 11 based on the above amendment to claim 11. The term “fork receivers” was improperly employed and has been replaced by “a pair of rectangular tubes” to conform to the language of claim 1.



Section 6. Reply to the Office Action re §102 Rejections

Applicant respectfully requests the reconsideration of §102 rejections raised in the Office Action, based on the following considerations. Examiner suggests that independent claim 1 and dependent claims 2, 4-5, 8, & 11-12 in the instant application are anticipated by U.S. patent 2,941,683, to applicant Fowler. Specifically, the Fowler patent discloses a pair of rectangular tubes, a vertical support plate, a pole extending from the vertical support plate, and a base plate. These components encompass the content of the claims in their current status and give rise to the anticipation rejection. In light of these concerns, applicant has amended the claims in order to emphasize the novelty of the present invention.

As indicated in amended claim 1 above, the vertical support plate is positioned at an intermediate point between the first and second end of the parallel rectangular tubes. This provides two significant benefits that are not contemplated by the prior art. First, the location of the of the vertical support plate increases the tensile strength of the vertical support plate and attached pole by moving the center of gravity inward over the forks of the forklift. Fowler '683 discloses a vertical support plate that is positioned at the end of a base plate, which provides a weakened support structure compared to the current invention. The setback support plate allows a greater load to be supported on the pole in the current invention and prevents the pole from breaking or bending.

Second, the positioning of the vertical support plate and pole decreases the turning radius of the forklift. With optimal positioning, the user can decrease the turning radius of the pole forklift up to two feet relative to prior art. This is extremely important because it allows the user to easily maneuver through cramped areas and crowded warehouses. A similar description of the turning capabilities of the present invention can be found in paragraph 33 of the specifications.

All of the prior art devices, including those cited by the examiner, position the vertical support plate and pole flush with the fork receiving end. Therefore, the prior art teaches away from the innovative design of applicant's invention, and fail to disclose the advantages thereof. Since amended claim 1 is no longer anticipated by Fowler '683, the remaining rejected claims 2, 4-5, 8 & 11-12 are similarly not anticipated. Applicant therefore respectfully requests that the examiner reconsider his rejections and allow the claims as amended.



Section 7. Reply to the Office Action re §103 Rejections

Applicant respectfully requests the reconsideration of §103 rejections raised in the Office Action, based on the following considerations. Examiner suggests that claims 3, 6, 7, 9, & 10 are rendered obvious by patents Fowler '683, McCracken '206, and Harris '658. In light of our current claims amendments, we respectfully direct examiner's attention to the arguments presented against the Fowler '683 citation in Section 6, *supra*. Specifically, the positioning of the vertical support plate between the first end and second end of the parallel rectangular tubes provides an increase in tensile strength when loaded, while at the same time decreasing the turning radius of the forklift up to two feet. The absence of prior art that employs this configuration provides substantial evidence that this device is novel and would not be contemplated by someone with ordinary skill in the art.

Therefore, in light of the amendments to independent claim 1, dependent claims 3, 7, 9 & 10 further improve upon the new novel device. Since claims 3, 7, 9, & 10 all depend on newly amended claim 1, Applicant submits that these dependent claims are no longer obvious. Please note that claim 6 has been left out of the present discussion because it has been cancelled from the claims. This can be found in Section 1 above.



Section 8. Revised Drawings

The applicant respectfully submits a revised drawing of Figure 3. Reference character '13' was left out in the original drawing and Figure 3 has been amended to reflect this particular change.



Remarks

Every effort has been made to constructively amend each area of the claims and specification in accordance with all of the examiner's observations in the above-referenced Office Action. Accordingly, applicant respectfully requests a timely Allowance in this case.

Respectfully Submitted,

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